

PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF OCTOBER 28, 2003.

ATTENDANCE

COUNCIL: Jerry Trumps (Chair - District 6), Robert Castille (Vice Chair - District 2), Bobby Badeaux (District 1), Chris Williams (District 3), Louis C. Benjamin, Jr. (District 4), Lenwood Broussard (District 5), Marc Mouton (District 7), Rob Stevenson (District 8), Randy Menard (District 9)

ABSENT: None

COUNCIL STAFF: Norma Dugas (Clerk of the Council), Veronica Williams (Assistant Clerk), Monica Fontenot (Administrative Assistant)

ADMINISTRATIVE STAFF: Walter Comeaux (City-Parish President), Steve Dupuis (City-Parish Attorney), Benny Soulier (Director of Administrative Services), Becky Lalumia (Director of Finance & Management), John Raines (Director of Public Works), Tony Tramel (Director of Traffic & Transportation), Robert Benoit (Director of Planning, Zoning & Codes)

COMMENCEMENT

(TAPE 1)(SIDE A)(001)AGENDA ITEM NO. 1: Call to order.

Chair Jerry Trumps called the Regular Council Meeting of October 28, 2003 to order.

(TAPE 1)(SIDE A)(003)AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

Councilmember Marc Mouton was called upon to deliver the invocation and lead the Pledge of Allegiance.

(TAPE 1)(SIDE A)(010)AGENDA ITEM NO. 3: **EXECUTIVE/PRESIDENT'S REPORT**

- a. Recognition of the delegation from Lafayette's sister City of Cabinda, Angola who are present to reactivate the twinning agreement.

Lafayette City-Parish President Comeaux introduced and welcomed the delegation of the City of Cabinda, Angola who were present to reactivate the twinning agreement. He called upon Phillipe Gustin who stated he was pleased to have the delegation present in Lafayette. Gustin introduced Vice Governor of Cabinda Mr. Antonio Goma to say a few words, who was joined by Alex Casimiro for translation. Mr. Goma stated the Province of Cabinda shows a strong commitment regarding the twinning agreement and has a strong desire to continue working together because he believes there is a very strong bond between the two cities. The two cities have approximately the same population and are strong in the oil industry. In closing, he stated he and his delegation felt at home in Lafayette because of the hospitality that everyone has shown.

ORDINANCES FOR FINAL ADOPTION

(TAPE 1)(SIDE A)(148)AGENDA ITEM NO. 4: O-263-2003 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance, so as to reclassify the property of H & S Land Company, L.L.C., Case No. Z2003-016 Lafayette Physical Rehabilitation Hospital Property Rezoning, located generally east of Kaliste Saloom Road and south of Polly Lane, from R-2 (Multi-Family Residential) to B-2-I (Intermediate Business). A motion to approve by Menard, seconded by Benjamin, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

Motion was approved.

Eleanor Lilly, Zoning Manager stated the subject property consists of 4 ½ acres and will be accessed off of Polly Lane and is adjacent and behind the construction site. Her staff and the

Zoning Commission both have approved the rezoning and felt it appropriate.

REPORTS AND/OR DISCUSSION ITEMS

(TAPE 1)(SIDE A)(210)AGENDA ITEM NO. 5k: Discuss carwash at corner of University and Rosewood (*This item was requested to be taken out of sequence*)

Captain Jackie Alfred explained that he has been working with the owner of the property to make the area clean and safe. He has not been receiving complaints from the residents in the area. If the owner detects a problem, he contacts Captain Alfred and officers are dispatched to the subject area to investigate. With the increase of patrol, there has been a considerable decrease in crimes such as loitering, drug activity and urination. After meeting with the residents, they preferred that a fence not be installed.

(TAPE 1)(SIDE A)(278)AGENDA ITEM NO. 5a: Discuss flooding problems in area of 310 Hoffpauir Road

Joe Maniscalco, Associate Director of Operations stated there was a request in the system concerning the cleaning of culverts that has been completed and closed. Councilman Broussard explained that when it rains it floods the area off of West Congress and the water remains on Hoffpauir. When traveling along Hoffpauir, there is a low spot that tends to flood and causes problems for the residents to get to their homes. Broussard requested that the road be leveled by possibly using crushed asphalt. Maniscalco has looked at the area and stated there is no right-of-way and the width of the road is inadequate to raise the subject section. Broussard suggested cleaning the ditches; however, Maniscalco responded that additional right-of-way would need to be purchased in order to widen the roadway.

AGENDA ITEM NO.5b: Discuss Alonda Drive Coulee reconstruction
This item was deferred.

(TAPE 1)(SIDE A)(388)AGENDA ITEM NO. 5c: Update on Camellia Boulevard Soundwall

Director of Public Works John Raines explained his department has identified the areas of conflict and are in a position to meet and determine a final agreement on the placement of the wall.

(TAPE 1)(SIDE A)(425)AGENDA ITEM NO. 5d: Update on Langlinais Road drainage project
After some discussion, this item was deferred until November 25.

Upon questioning by Menard, Bill Campbell stated that the survey work has begun. One of the channels has been completed and Public Works is in the process of finishing the second one.

(TAPE 1)(SIDE A)(500)AGENDA ITEM NO. 5e: Update on Holiday Gardens drainage project
After some discussion, this item was deferred until November 25.

Upon questioning by Menard, Raines stated his staff has been having problems with acquiring the necessary rights-of-way for the outfall from one of the residents. Should the property owner continue choosing not to cooperate, Public Works will, therefore, exercise its rights as far as the law will allow. Menard suggested cleaning the ditches first while working with the property owner on an agreement of right-of-way.

The following persons did not speak but were present to express support of the project:

Harold Hoyt
Jaywood Domingue

(TAPE 1)(SIDE A)(550)AGENDA ITEM NO. 5f: Update on drainage problems on Pascal Street
After some discussion, this item was deferred until November 25.

Upon questioning by Menard, it was discovered that the subject street is actually listed as St. Pascal. Menard did express concern that Public Works was not familiar with his request which was sent via interoffice memorandum.

AGENDA ITEM NO. 5g: Update on noise ordinance
This item was deferred until November 25.

(TAPE 1)(SIDE A)(601)AGENDA ITEM NO. 5h: Discuss traffic calming near Simcoe Street at Louisiana Avenue and Pinhook Road

Benjamin expressed his concerns regarding a fatal accident at this location involving a small child. Director of Traffic & Transportation Tony Tramel explained that his department has evaluated the volume of traffic, pedestrian activities and speeding and has proposed to add pedestrian crosswalk identification material which should be installed within the next 10 days.

(TAPE 1)(SIDE A)(663)AGENDA ITEM NO. 5i: Discuss Festival Acadienne

Mouton requested a representative of Festivals Acadiens give a breakdown of the festival activities. Ms. Simone Degeytaire, Executive Director of Festivals Acadiens, introduced Stacy Powell, Molly Bernard, President of the Lafayette Jaycees and Kay Richard. The Jaycees consist of a small group of volunteers who organize the festival. Their funding resources are limited and they do receive some assistance from sponsors, however, they continue to search for additional sponsors. The monies profited from the festival are returned to the community by conducting community service projects. The organization is in hopes that they could also receive assistance with security. This festival has been listed as one of the top 10 festivals to attend and has won numerous awards.

(TAPE 1)(SIDE B)(003)

Upon questioning by Mouton, Ms. Degeytaire stated it is difficult to determine the outcome of the crowd because the festival depends upon weather participation. Her committee consists of 15 volunteers who organize the festival.

(TAPE 1)(SIDE B)(043)AGENDA ITEM NO. 5j: Update on Night Owl Transit Service

A written report was submitted by Tony Tramel stating that since the conception of the night owl transit service there has been an increase of 76% in nighttime boardings.

COMMENTS FROM THE PUBLIC

(TAPE 1)(SIDE B)(046)AGENDA ITEM NO. 6: Comments from the public on other matters.

The following persons were recognized:

Cheryl Babineaux expressed her concerns regarding the time allowed for the pedestrian crosswalk located at Moss Street and E. Alexander Street. She recently was crossing the street with her electric mobility scooter and was hit by a car, in which the scooter was damaged. She also stated that she recently requested someone determine if the pedestrian crosswalk was set to allow enough time to cross the street and felt the accident wouldn't have taken place if the crosswalk time was extended as requested.

Chair Trumps responded that she should meet with Tony Tramel and determine if any adjustments need to be made. Benjamin responded that he was informed that engineering had evaluated the situation and in speaking with Mr. Tramel, he informed Benjamin that the timing had been adjusted on the pedestrian crosswalk light. Benjamin continued by saying that he had recently received an attorney general's opinion and was making a copy available for Ms. Babineaux. The opinion stated that mobility scooters should only be used on the crosswalks or sidewalks, not in the street at any time.

George Bentley Jr. explained that his son was recently killed in a motorcycle accident in which he was charged with OWI. After personally investigating the incident, he opined that his son was not legally intoxicated. He has repeatedly attempted to contact and meet with members of the Police Department to get the record straight but has not been successful with cooperation. His request is that the truth is known, the record is set straight and the charges be dropped. He felt the situation was an unjust one and is asking for retraction of the charges in order to clear his son's name.

Benjamin requested that City-Parish Attorney Steve Dupuis research the case to determine if these charges could be expunged from the record. Menard explained when he spoke with Chief Boudreaux, he and Major Craft both questioned why was the citation was even issued. Chief

Boudreaux was informed by an individual in the Traffic Division that the policy was if a blood test was being required, a citation must be issued. Menard expressed his concerns regarding same. He also added the fact it was unnecessary to issue the citation because the person was deceased. Mr. Bentley would like the Police Department to admit that an honest mistake was made and asks that it be taken care of. Major Craft extended the department's sympathy to the Bentley family on their loss. He clarified that based on evidence developed at the scene of the accident; a citation was issued for careless operation. The State of Louisiana has a law that requires law enforcement agencies during major accidents to conduct alcohol testing. It is a mandatory requirement. Upon learning that Mr. Bentley's son was deceased, he contacted the District Attorney's office to request that the citation issued be dismissed.

ADJOURN

There being no further business to come before the Council, Chair Trumps declared the meeting adjourned.

Norma A. Dugas
Clerk of the Council